As a young lawyer, Mr. Burger became active in community affairs. He was president of the Junior Chamber of Commerce and the first president of the St. Paul Council on Human Relations. That group, which he helped to organize, sponsored training programs for the police to improve relations with minority groups. For many years, he was a member of the Governor's Interracial Commission.

He also became involved in state politics, working on Harold E. Stassen's successful campaign for governor. He went to the 1948 Republican National Convention to help Governor Stassen's unsuccessful bid for the Presidential nomination.

MAKING THE MOVE TO WASHINGTON

In 1952, he was at the Republican convention again, still a Stassen supporter. But he helped Dwight D. Eisenhower's forces win a crucial credentials fight against Senator Robert A. Taft of Ohio. On the final day, with General Eisenhower lacking nine votes for the nomination, Mr. Burger helped swing the Minnesota delegation and gave Eisenhower the votes that put him over the top. Cheers broke out on the convention floor as an organ played the University of Minnesota fight song.

His reward was a job in Washington, as Assistant Attorney General in charge of the Civil Division of the Justice Department. He supervised all the Federal Government's civil and international litigation. He told a young Justice Department lawyer years later that he would have been content to continue running the Civil Division for the rest of his career.

One of his assignments was somewhat unusual for the Civil Division chief. He agreed to argue a case in the Supreme Court, usually the task of the Solicitor General's Office. The case involved a Yale University professor of medicine, John F. Peters, who had been discharged on loyalty grounds from his job as a part-time Federal health consultant.

The Solicitor General, Somin E. Soboloff, disagreed with the Government's position that the action by the Civil Service Commission's Loyalty Review Board was valid and refused to sign the brief or argue the case. Mr. Burger argued on behalf of the board and lost. Among the lawyers who filed briefs on the professor's behalf were two who would precede Mr. Burger on the Supreme Court, Abe Fortas and Arthur J. Goldberg.

After two years, Mr. Burger resigned from the Justice Department and was preparing to return to private practice in St. Paul when Judge Harold Stephens of the United States Court of Appeals for the District of Columbia Circuit died. President Eisenhower nominated him for the vacancy, and he joined the court in 1956.

His elevation to the Supreme Court 13 years later was made possible by President Lyndon B. Johnson's failure to persuade the Senate to accept Abe Fortas as Chief Justice.

A BENEFICIARY OF '68 ELECTION

On June 13, 1968, Earl Warren had announced his intention to resign after 15 years as Chief Justice. President Johnson nominated Mr. Fortas, then an Associate Justice, as Chief Justice. But the nomination became a victim of the 1968 Presidential election campaign and was withdrawn on Oct. 2, the fourth day of a Senate filibuster that followed acrimonious confirmation hearings.

Chief Justice Warren agreed to delay his retirement, and it was clear that whoever won the Presidential election would choose the next Chief Justice. Justice Fortas remained on the Court until May 1969, when he resigned after the disclosure that he had accepted a $20,000 fee from a foundation controlled by Louis E. Wolfson, a friend and former client who was under Federal investigation for violating securities laws.

On May 21, a week after the Fortas resignation, President Nixon nominated Warren Burger to be Chief Justice. The nomination went smoothly in the Senate, and he was sworn in as Chief Justice on June 23, 1969.

The Chief Justice and his wife lived in a renovated pre-Civil War farmhouse on several acres in McLean, Va. According to the annual financial disclosure statements required of all Federal judges, he had assets of more than $1 million. His largest investment was the common stock of the Minnesota Mining and Manufacturing Company.

He was a gardener and a serious wine enthusiast who took pride in his wine cellar and occasionally sponsored wine-tasting dinners at the Supreme Court.

By statute, the Chief Justice is Chancellor of the Smithsonian Institution and chairman of the board of trustees of the National Gallery of Art, duties that, as an art and history buff, he enjoyed. He visited antiques stores to look for good pieces for the Court and took an active role in the Supreme Court Historical Society.

He and his wife led an active social life in Washington and spent part of nearly every summer in Europe, usually in connection with a conference or other official appearance.

Chief Justice Burger cut an imposing figure, and it was often said that he looked like Hollywood's image of a Chief Justice. He was nearly 6 feet tall, stocky but not heavy, with regular features, a square jaw and silvery hair.

Proper appearance was important to him. He once sent a note to the Solicitor General's Office complaining that a Deputy Solicitor General had worn a vest the wrong shade of gray with the formal morning attire required of Government lawyers who argue before the Court.

In 1976, he appeared at a Bicentennial commemoration in a billowing robe with scarlet trim, a reproduction of the robe worn by the first Chief Justice, John Jay. He later put the robe on display in the Court's exhibit area.

A book by Chief Justice Burger, ''It Is So Ordered'' (William Morrow), was published earlier this year. It is an account of 14 cases that, in his judgment, helped shaped the Constitution.

Mr. Burger's wife died in May 1994. He is survived by his son, of Arlington, Va.; his daughter, of Washington, and two grandchildren. Funeral arrangements were incomplete today.●

CONGRATULATING THE STUDENTS OF MAINE SOUTH HIGH SCHOOL

● Mr. SIMON. Mr. President, I wish to recognize a group of students from Maine South High School in Park Ridge, Illinois, who won the Unit 1 award for their expertise in the ''History of Rights,'' in the national finals of the ''We the People . . . The Citizen and the Constitution'' program.

As the ranking member of the Senate Subcommittee on the Constitution, Federalism, and Property Rights, I have a keen interest in constitutional issues. It is exciting to recognize achievement in an area which is important both to me personally and to the entire Nation.

Pat Feicher taught the winning class which competed against 49 other classes from across the Nation. The following students participated in the program: Raymond Albin, Julie Asmar, Marla Burton, Kevin Byrne, William Dicks, Nicholas Doukas, Neil Gregie, Conrad Jakubow, Brian Kilmer, Kristin Klaczek, Joe Liss, Robert McVey, Daniel Maigler, Agnes Milewski, Manoj Mishra, Vicky Pappas, Devanshu Patel, Anne Marie Pontarelli, Caroline Prucnal, Todd Pytel, Seema Sabnani, Jennifer Sass, Scott Schwemin, Peter Sedivy, Richard Stasica, Angela Wallace, Andrea Wells, and Stephen Zibrat.

This fine group of students has demonstrated a remarkable understanding of the fundamental element of the American system of government.●

VACLAV HAVEL

● Mr. KERRY. Mr. President, earlier this month, Vaclav Havel, President of the Czech Republic, spoke at a luncheon in his honor at the John F. Kennedy Library in Boston. President Havel spoke eloquently about President Kennedy's New Frontier and the hopes it inspired in his own country and among peoples throughout the world. He quoted the famous words of President Kennedy's Inaugural Address, ''Ask not what your country can do for you, ask what you can do for your country.'' He spoke as well of our failure to live up to those ideals, and of the importance of continuing to strive for them. ''What we can never relinquish is hope,'' he said.

Present in the audience at the Kennedy Library to hear these inspiring words were many members of the Masaryk club in Boston, a nonprofit cultural and social organization for Americans of Czech or Slovak ethnic background. President Havel's own personal courage in leading his country to freedom and democracy after the fall of the Berlin Wall made his visit to Boston an especially moving occasion for them.

I believe President Havel's eloquent address will be of interest to all my colleagues in the Senate. I ask that it be printed in the RECORD, along with Senator KENNEDY'S introduction of President Havel.

REMARKS OF SENATOR EDWARD M. KENNEDY

I want to thank Paul Kirk for that generous introduction. Everyone in the Kennedy family and everyone associated with President Kennedy's Library is proud of Paul and his outstanding leadership as Chairman of the Library Foundation.

I also want to thank John Cullinane for his effective role in our Distinguished Foreign Visitors Program. John has been a dear friend to our family for many years, and we are grateful for all he's done for Jack's Library.

Today is a special day for the Library, and we are delighted that our guest of honor could be here.

The ties that bind the United States and the Czech people go back many years. We're proud to have with us today members of Boston's Masaryk Club, named for the great founder of modern Czechoslovakia.

In 1918, at the end of World War I and the collapse of the Austro-Hungarian Empire, the new independent nation of Czechoslovakia was born. Thomas Masaryk drafted

its Declaration of Independence, and he used America's Declaration of Independence as his model. He adopted the red, white and blue colors of our flag for the Czech flag and he declared the birth of the new nation. At the time, he was in Pittsburgh, Pennsylvania, seeking support for his native land, a true patriot for his people.

Masaryk's Declaration of Independence had a fascinating subsequent history. Masaryk died in 1937, and left the document to his private secretary, who gave it to the Library of Congress for safe keeping, until it could one day be returned to a free Czechoslovakia

When I first met President Havel in 1990, the Berlin Wall had been down for several months, and I mentioned to him that it might be time to return the document to Czechoslovakia. But Czechoslovakia's democracy was still very new, and it's future was uncertain. So President Havel thought is best for the document to remain at the Library of Congress a little longer. In 1991, with democracy firmly established, it was a great honor and privilege for all of us in Congress to return that historic document to President Havel and the people of Czechoslovakia.

As all of us know, our guest of honor has had an extraordinary and very inspiring career. As a student in the 1950's in Prague, he was attracted to the theater. After completing his compulsory military service, he started work for an avant-garde theater company as a stagehand and electrician. With his talent for writing and his strong sense of the stage, he quickly rose to the position of manuscript reader, and then resident playwright.

His rise coincided with the increasing political thaw in his country in the 1960's, and he became well-known for his vivid plays about the dehumanizing and repressive bureaucracy of communist regimes.

President Havel's relationship with the Kennedy family goes back to 1968, when he visited the United States in connection with the first American production of one of his most famous plays. Due to restrictions on visitors from Iron Curtain countries at the time, his visa limited him to New York City. His friends in the literary and theater community contacted Senator Robert Kennedy, and, with Bobby's help, President Havel was given permission to visit Washington.

But the thaw in Czechoslovakia was only temporary, and the Soviet invasion of 1968 ended the famous Prague Spring. President Havel's works were banned and his passport was confiscated.

Repression and harassment followed. In 1975, after his production of ''The Beggar's Opera,'' even the members of his theater audiences became targets of police harassment.

But President Havel never wavered. He did not remain silent or flee the country during the repressive Communist rule. He was forced to take menial jobs, but he continued writing, speaking out for human rights, and standing up against the Communist dictatorship.

In 1977, he became a leader of Charter 77, a manifesto signed by hundreds of artists and intellectuals protesting the government's refusal to abide by the Helsinki Agreement on Civil and Political Rights. For his continuing courage, he was jailed several different times, and spent five years in prison.

In his visit to this country in 1990, President Havel told me that during those dark years in prison, the most important and most sustaining book he had read was ''Profiles in Courage'' by President Kennedy.

After the fall of the Berlin Wall, President Havel became the leader of the Civic Forum, an organization of groups opposed to the Communist Government. In November 1989, massive crowds gathered in Wenceslas Square to challenge that government and there was real dangers of violence. President Havel showed great leadership in bringing about a peaceful transition. It was called the Velvet Resolution, and in December he became the first president of the new, free Czechoslovakia.

In 1993, when Czechoslovakia peacefully split into two independent nations, he became the first President of the new Czech Republic.

During President Havel's earlier visit, we happened to be together at a large dinner party in his honor. As it was ending, I mentioned that one of the most beautiful and moving places to visit in Washington was the Lincoln Memorial at night. He was intrigued, and so we drove over there together. I read out loud the beautiful words inscribed on the walls—the text of Lincoln's Gettysburg Address and his Second Inaugural Address—and his interpreter translated them for President Havel.

It was a deeply moving few moments. He wrote down several of the great phrases, and he turned to me and said, ''I am not able to understand the language, but I can understand the poetry.''

Finally, I want to quote briefly from some of President Havel's own words, describing his life. Here is what he said: ''You do not become a 'dissent' just because you decide one day to take up this most unusual career. You are thrown into it by your personal sense of responsibility, combined with a complex set of external circumstances. You are cast out of the existing structures and placed in a position of conflict with them. It begins as an attempt to do your work well, and ends with being branded an enemy of society.''

But that label could not stick. No friend of freedom can be an enemy of society. President Havel's heroic opposition to repression won him many admirers throughout the world, including the great Irish playwright, Samuel Beckett. In 1982, in a unique political action, Beckett dedicated a play to Havel, about the suffering of a martyr in an oppressive country.

I know that President Havel regards that as one of the finest tributes he has ever received, and he eminently deserved it. Through many years of hardship and repression, he kept the idea of freedom alive, and he successfully led his people to it.

As Robert Kennedy said, ''Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current that can sweep down the mightiest walls of oppression and resistance.''

Those words eloquently describe the extraordinary life of our guest of honor and the ripples of hope he has set forth across the world. He is a symbol of the aspirations of peoples everywhere for liberty and an end to oppression.

I am honored to introduce him now, a man for all seasons, an inspiring leader for our times, President Havel of the Czech Republic.

REMARKS OF VACLAV HAVEL

Dear Mr. Senator, dear guests, the name of the President for whom this library is named, your name, Mr. Senator, and the name of your family, evokes as powerful an echo as few other names do. For several generations, this name has been inseparably linked with the history of Boston, the Commonwealth of Massachusetts, the United States of America and, indeed, of the whole world.

For me and many others, this name is primarily linked with a period which had profoundly influenced a whole generation in various parts of the world, a period whose aftereffects we are still feeling today. I am speaking, of course, about the sixties. I will never forget my sense of elation at the election of President Kennedy. I will never forget my sense of shock at the news of his assassination. It was then that I realized that there are dark forces operating in the human nature and in the world at large. And I will never forget the few weeks I spent in the United States at the end of the sixties, my own taste of the unrepeatable atmosphere of the times in this country.

The historical dimensions of a decade do not always coincide with its chronological dimensions. The sixties began right on time in 1960, on a wave of hope with the election of your brother John Fitzgerald Kennedy as the 35th President of the United States. The same sixties, however, ended prematurely in the chaos and disillusion of 1968, with the student riots in Paris, the assassination of your brother Robert Kennedy in Los Angeles, the demonstrations against the war in Vietnam in Washington, and with the invasion of Czechoslovakia by the Warsaw Pact. What remained of the sixties chronologically after that, did not really belong there. Even the last joyful moment of the decade, the landing of Man on the Moon ''before the decade was out,'' seemed to be a mere legacy of the late President who had turned the eyes of the nation toward the New Frontier but was murdered before he could witness the breakthrough.

Few decades in the history of mankind have been the focus of so much energy, joy and hope as well as of so much pain, bitterness and disappointment. It is then no wonder that few decades have left behind a legacy so controversial. It is hard to imagine a more suitable place for a small reflection on this legacy and what it might mean today than the Kennedy library.

From the very beginning of the sixties we hear the great call of the dead President for a new step forward, for courage and personal responsibility: ''Ask not what your country can do for you—ask what you can do for your country.'' In the course of the sixties the civil rights movement triumphed and eliminated much of the heavy burden of the past. The turmoil of the sixties destroyed the barriers between the sexes and opened a new realm of freedom—sexual freedom. The creative impulse of the sixties produced an unprecedented number of original works in literature, music and arts. The technological progress, accelerated by the effort to conquer the space, set off an information revolution whose fruit we are in full extent reaping only today. In the communist part of the world the end of the decade witnessed an outburst of popular will against the absurdity of the totalitarian dictatorship in Czechoslovakia.

If it all stayed at that, we would now be remembering the sixties as a golden age of mankind. However, the hope that had ushered it in remained largely unfulfilled. The removal of barriers did not automatically bring about universal prosperity or universal harmony. A large part of the creative impulse of the times dissipated in disillusion or succumbed to commercial interests. The newfound individual freedom spent itself in hedonism, arbitrariness and in drugs. Technological progress also helped to build a new generation of ever more destructive weapons which were prevented from being used only by the certainty of mutually assured destruction. And the Czechoslovak rebellion against totalitarianism collapsed, in part because of the ambivalence of its efforts, under the avalanche of half a million troops of occupation while the rest of the world could only stand by and watch.

It would be too simple to attribute the failure of our hopes at the time only to unfavorable circumstances, to assassins or to the military might of the totalitarian regime. It would be equally simple to say that our hopes had been false from the very beginning, that they were nothing more than a result of the euphoria of youth or inexperience.

Our hopes did not come true because, as many times before in history, we failed to heed that call for personal responsibility and for a service to common interests. The opportunity to work together for the common good gradually degenerated into a service to group interests, sectarian interests and ultimately purely individual interests. The loving sixties were followed by the selfish eighties.

I do not think we should tear our garments here as if this were some exceptional and unforgivable failure. The service to one's own interests, the tendency to use one's own potential for one's own good is an inseparable part of human nature and the motivation which ultimately drives the world forward. At the same time it is equally an inseparable part of human nature to love and be loved, to be capable of solidarity, altruism, even of self-sacrifice. Some scientists like E. O. Wilson and some theologians think of both these tendencies as being a part of a single elementary life force. The question of a talmudistic scholar: ''If I am not for myself, who will be for me? And if I am only for myself, who am I?'' still demands an answer.

Today we are all thirty years older and hopefully—though this is far from certain—wiser. Much of that crazy decade we remember with a smile and sometimes even with some embarrassment. Much of that decade we can relinquish as unrepeatable, mistaken or misconceived. What we can never relinquish is hope.●

REGULATORY REFORM

● Mr. BAUCUS. Mr. President, in the next few days, the Senate will begin to debate regulatory reform legislation to make regulations more sensible, less burdensome, and more efficient.

This debate is long overdue. Because while passing laws is important, real people are affected not by congressional debates but by implementation of the law by agencies.

And all too often, agencies implement laws with too much paperwork, too much harassment and too little common sense. It is time to set things straight, and I congratulate the leadership for bringing this issue to the floor.

At the same time, however, we must remember that preventing pollution, ensuring food safety and keeping our rivers clean are critically important to a good life for Americans.

Unfortunately, some special interest groups do not see it that way. All over Washington, they are trying to get loopholes and special relief that will let them get away with polluting the air and water. And they are calling their loopholes regulatory reform. They should not get away with it.

So let us watch what is coming aboard pretty carefully. Let us reform Government rules and regulations to make them work better. But let us not use regulatory reform to weaken protection of public health and safety and to lower the quality of life.

THE NEED FOR REFORM

Government has to treat people like adults. It has to understand that most people are good people. They don't need to fill out a lot of forms to do the right thing.

As the debate unfolds, we will hear theories about so-called super mandates. About judicial review. About esoteric provisions of the Administrative Procedures Act. About how many permissible statutory constructions can dance on the head of a pin.

But when most Montanans think about Government regulations, they are more straightforward. Montanans want common sense. Montanans believe most Federal rules and regulations cost too much. They accomplish too little. They make responsible business owners fill out too many forms. And they just plain make people angry.

OSHA LOGGING REGULATIONS

I will give you an example. Earlier this year, OSHA, the Occupational Safety and Health Administration, proposed a rule that would make loggers wear steel-toed boots.

Seems to make sense—unless you are actually out in the Montana woods in winter, on a steep slope and frozen ground. In that case, steel-toed boots can make the job more dangerous, not less. They make your feet go numb, so it is harder to hold your grip. And if you are holding a live chainsaw at the time, you are in a lot of trouble.

So the people this regulation was meant to help knew it made no sense at all. And to add injury to insult, it threatened their jobs. OSHA told them to buy the boots in 2 weeks or take a furlough.

Another example was the EPA's decision 2 years ago to ban some kinds of bear sprays—pepper sprays that help people avoid injury from bear attacks—because they might irritate the nasal tissues of an attacking grizzly. Yet another was the Forest Service's decision to bar loud speech and inappropriate noises in national forests.

Most regulations are not as ridiculous or offensive as these. But even so, the sheer volume of regulation is a big problem. Small business owners often give up all of Friday afternoon to fill out OSHA forms and IRS withholding documents just to comply with existing regulations, let alone keep up with all the new ones.

Today, we are only half-way through 1995. And the Federal Register, in which the government publishes its rules and regulations, is about to hit the 33,000-page mark. That is about 200 pages of rules, regulations, comments, revisions, and rerevisions every day.

KEY ELEMENTS OF REFORM

So I congratulate the leadership for moving ahead with regulatory reform. The effort is only beginning, but at the end I believe a good bill will include five key elements.

First, we should open up the regulatory process. It should be easier for people to comment on proposed rules. They should get more notice when a rule will affect their job or business. You simply cannot expect a hard-working gas station owner or restaurant manager to subscribe to the Federal Register and track all the changes and revisions in the OSHA code.

And while they are at it, agencies should explain their rules in plain English. For example, look at a sentence from an EPA rule in the December 29, 1994, Federal Register. It means to say treated hazardous wastes are exempt from disposal regulations under two conditions. But what it actually says is this:

> Currently, hazardous wastes that are used in a manner constituting disposal (applied to or placed on land), including waste-derived products that are produced in whole or in part from hazardous wastes and used in a manner constituting disposal, are not subject to hazardous waste disposal regulations provided the products produced meet two conditions.

Imagine handing that in to a high school English teacher.

Second, we should use new statistical tools like risk assessment and cost-benefit analysis when appropriate. They can help agencies set priorities, so we spend our money wisely and solve the biggest problems first. And they can help make sure agencies think creatively and consider all the options before charging ahead. But we must also understand their limitations—because I do not believe we can place a dollar value on things like the survival of the bald eagle or brain damage in children from lead in drinking water.

Third, Congress should conduct more oversight. Passing a law is only a small part of the job. It is implementation of the law that affects real people at home and in business. But too often, Congress passes a law and then walks away, leaving implementation entirely to bureaucrats who do not always have practical experience. The OSHA logging regulation is a good example. Congress should review major new regulations closely, so the mistakes are corrected before they start to threaten jobs and businesses.

Fourth, we should strengthen the Regulatory Flexibility Act. This law requires agencies to pay special attention to the effects of their regulations on small business. A good goal—but one agencies sometimes ignore.

Today, small businesses have no right to challenge an agency, in court, when it fails to comply with the Act. By establishing a streamlined process for judicial review, we can help small businesses protect themselves.

And fifth, we must continue strong and effective protection of public health, public safety and our natural heritage. Clean air, clean water and clean neighborhoods are basic American values. They are essential to a high quality of life in our country. Regulatory reform should get them for us more efficiently. It must not run away from these goals, and allow more contamination of rivers and streams,